

CALL TO ORDER

Mayor Mazza opened the meeting at 7:00 p.m.

“Sunshine Law” Announcement: Adequate notice of this public meeting has been provided by the Annual Notice; faxed to the Hunterdon Democrat and Courier News; posted on the public bulletin board and on file in the Municipal Clerk’s Office.

FLAG SALUTE

ROLL CALL - Present: Rob Haynes, Matt Severino, Lisa Nargi, Patricia Dziubek, Frank Mazza.
Absent: None
Others Present: J. Peter Jost, Esq., Township Attorney, John Reymann, P.E., Township Engineer, Grace Brennan, CFO, William Sutphen, Esq., Pl. Bd. Attorney, Mark Anderson, Esq., Richard McManus, Zoning Officer, Ella Malecki Ruta, Township Clerk.

APPROVAL OF MINUTES

a. Regular and Executive Session 1 and 2 Meeting Minutes of October 03, 2007

Mr. Nargi made a motion to adopt as amended (change Mr. Hayne’s vote on payments of bills from AYE to ABSTAINED) said Minutes. Mrs. Dziubek seconded the motion. Vote – Ayes: Mr. Haynes, Mr. Severino, Mrs. Nargi, Mrs. Dziubek, Mr. Mazza. Motion Carried.

VISITORS - None

Mayor Mazza announced that Mr. Robert Nargi is going to join the Committee in Executive Session to discuss contract negotiations regarding Milligan Farm.

EXECUTIVE SESSION –Action may be taken following Executive Session

At 7:04 PM, the following resolution was introduced for adoption:

RESOLUTION#2007-149
EXECUTIVE SESSION

WHEREAS, N.J.S.A. 10:4-12 allows for a public body to go into closed session during a public meeting; and

WHEREAS, the Union Township Committee has deemed it necessary to go into closed session to discuss certain matters which are exempt from the public.

NOW, THEREFORE, BE IT RESOLVED, that the Township Committee of the Township of Union will go into closed session for the following reason(s) as outlined in N.J.S.A. 10:4-12: Contract Negotiations.

Mr. Severino made a motion to adopt the above resolution. Mrs. Nargi seconded. Vote – Ayes: Mr. Haynes, Mr. Severino, Mrs. Nargi, Mrs. Dziubek, Mr. Mazza. Motion Carried.

At approximately 7:23 PM, Mr. Severino made a motion to return to the regular meeting, Mrs. Nargi seconded. Vote – Ayes: Mr. Haynes, Mr. Severino, Mrs. Nargi, Mrs. Dziubek, Mr. Mazza. Motion Carried.

Attorney Jost said the Committee is going to go back into Executive Session to discuss items scheduled on the agenda.

EXECUTIVE SESSION –Action may be taken following Executive Session

At 7:23 PM, the following resolution was introduced for adoption:

**RESOLUTION#2007-150
EXECUTIVE SESSION**

WHEREAS, N.J.S.A. 10:4-12 allows for a public body to go into closed session during a public meeting; and

WHEREAS, the Union Township Committee has deemed it necessary to go into closed session to discuss certain matters which are exempt from the public.

NOW, THEREFORE, BE IT RESOLVED, that the Township Committee of the Township of Union will go into closed session for the following reason(s) as outlined in N.J.S.A. 10:4-12: Potential Litigation – Pilot Travel Center LLC., Contract Negotiations – Municipal Court and Construction Dept.

Mrs. Nargi made a motion to adopt the above resolution. Mrs. Dziubek seconded. Vote – Ayes: Mr. Haynes, Mr. Severino, Mrs. Nargi, Mrs. Dziubek, Mr. Mazza. Motion Carried.

At approximately 9:11 PM, Mrs. Dziubek made a motion to return to the regular meeting, Mrs. Nargi seconded. Vote – Ayes: Mr. Haynes, Mr. Severino, Mrs. Nargi, Mrs. Dziubek, Mr. Mazza. Motion Carried.

At this time, Mr. Sutphen, Mr. Anderson and Mr. McManus left the meeting.

REPORTS RECEIVED

- a. Road Dept.- week ending 9/28/07; 10/05/07
- b. Claims Register – 10/17/07
- c. Construction Dept. – September 2007; Mrs. Nargi thanked the Construction Dept. for diligent work on Grand Colonial matters
- d. Municipal Court – September 2007

CORRESPONDENCE

Mr. Severino mentioned the following:

- Letter from the Dept. Of Health and Senior Citizen Services regarding PEOSH training on Indoor Air Quality
- Letter to the Freeholders from the Town of Clinton supporting purchase of the Summit Manor property by Franklin Twp.

Mrs. Dziubek mentioned the following:

- Letter to the Freeholders from the Town of Clinton supporting purchase of the Summit Manor property by Franklin Twp. She suggested writing a letter that acquisition of the Milligan farm by Union Twp. is also protecting safety and negative impact of the quality of life for all neighboring municipalities. Mrs. Dziubek would like to discuss this matter further at the next Committee Meeting. The matter is going to be placed on the November 7th agenda.

Mayor Mazza mentioned the following:

- E-mail from the DCA Office of the Smart Growth's on Grayfields Redevelopment

PUBLIC COMMENTS – NONE**PUBLIC HEARING – 2ND Reading****TOWNSHIP OF UNION****ORDINANCE # 2007- 8****AN ORDINANCE AMENDING CHAPTER X, BUILDING AND HOUSING, OF THE CODE OF THE TOWNSHIP OF UNION, HUNTERDON COUNTY, NEW JERSEY, AND TRANSFERRING JURISDICTION FOR THE ADMINISTRATION AND ENFORCEMENT OF THE UNIFORM CONSTRUCTION CODE TO THE STATE OF NEW JERSEY, DEPARTMENT OF COMMUNITY AFFAIRS**

Mrs. Dziubek made a motion to open the public hearing. Mr. Severino seconded the motion. Vote – Ayes: Mr. Haynes, Mr. Severino, Mrs. Nargi, Mrs. Dziubek, Mr. Mazza. Motion Carried.

Questions/Comments – Frank Taibi-opposed/Pat Lingelbach-opposed/David Swanson-opposed, prefers to deal with government on local levels; asked if raising fees was considered/Melinda Wright-opposed, asked what happens to permits submitted, not yet approved/Kurt Derwid-opposed/Scott Echlin-opposed

All public speakers spoke of their positive experiences dealing with Construction Dept. Financial reasons were also discussed with final comments from the public that additional \$5.00 to the property tax bill is insignificant to keep local services.

There being no further questions/comments, Mr. Haynes made a motion to close the public hearing. Mrs. Dziubek seconded the motion. Vote – Ayes: Mr. Haynes, Mrs. Nargi, Mrs. Dziubek, Mr. Mazza. Abstain: Mr. Severino on the advise of the Twp. Counsel. Motion Carried.

Mr. Hynes made a motion to adopt Ord. #2007-8 on 2nd reading. Mrs. Nargi seconded the motion. Vote – Nays: Mr. Haynes, Mrs. Nargi, Mrs. Dziubek, Mr. Mazza. Abstain: Mr. Severino on the advise of the Twp. Counsel. **Motion Defeated.**

TOWNSHIP OF UNION**ORDINANCE # 2007-7****AN ORDINANCE AMENDING CHAPTER II, ARTICLE XI, OF THE CODE OF THE TOWNSHIP OF UNION, HUNTERDON COUNTY, NEW JERSEY, AND PROVIDING FOR THE ESTABLISHMENT OF SHARED MUNICIPAL COURTS WITH ANOTHER MUNICIPALITY**

Mr. Dziubek made a motion to open the public hearing. Mr. Severino seconded the motion. Vote – Ayes: Mr. Haynes, Mr. Severino, Mrs. Nargi, Mrs. Dziubek, Mr. Mazza. Motion Carried.

Questions/Comments - Pat Lingelbach asked the reason for closing UT Municipal Court and differences between shared and joint court. Mayor responded with reasons. Attorney Jost explained differences.

Kathy Cupon, Union Twp. Municipal Court Administrator explained court fees and fines kept by the municipality. She also stated the State Fire Marshal was never present at the court session. If he was, she added the court session would be shut down from overcrowding. Shared service with another court is not going to generate any more money. State Police is still going to be servicing this municipality, it is just going to be at a different location, Ms. Cupon added.

Mr. Severino said that the income might not increase, but cost to run the department will decrease.

There being no further questions/comments, Mrs. Nargi made a motion to close the public hearing. Mr. Haynes seconded the motion. Vote – Ayes: Mr. Haynes, Mr. Severino, Mrs. Nargi, Mrs. Dziubek, Mr. Mazza. Motion Carried.

Mr. Haynes made a motion to defer voting on the above ordinance until next scheduled Union Twp. Committee Meeting. Mr. Severino seconded the motion. Vote: Ayes – Mr. Haynes, Mr. Severino, Mrs. Dziubek. Nays – Mrs. Nargi, Mr. Mazza. Motion Carried.

At this time Grace Brennan, CFO left the meeting.

OLD BUSINESS

- a. **RESOLUTION #2007-** : Amendments to the Resolution #2003-39/Reclamation Plan for Pattenburg Quarry
Tabled at this time.
- b. **RESOLUTION #2007-** : 2007-2008 Liquor License Renewal – Pattenburg Entertainment Inc./Pattenburg House
Due to missing documentation from the State to renew the above Liquor Licenses, the above resolution was tabled.

NEW BUSINESS

- a. The following resolution was introduced for adoption:

RESOLUTION 2007-151
Re: Excavation Bond Refund
Anthony Sylvan Pools, PO Box 828, Greenbrook, NJ 08812
Block 22 Lot 31.03

WHEREAS, Anthony Sylvan Pools, did post an excavation bond in the amount of \$500.00 for work performed at Block 22 Lot 31.03 in the Township,

WHEREAS, the work and inspection are complete, and

WHEREAS, the construction department has requested that this bond now be released back to Anthony Sylvan Pools

NOW, THEREFORE, BE IT RESOLVED, that the excavation bond of \$500.00 be released to Anthony Sylvan Pools,

BE IT FURTHER RESOLVED, that this resolution shall take effect immediately.

Mr. Severino made a motion to adopt above resolution. Mrs. Nargi seconded the motion. Vote – Ayes: Mr. Haynes, Mr. Severino, Mrs. Nargi, Mrs. Dziubek, Mr. Mazza. Motion Carried.

- b. The following resolution was introduced for adoption:

RESOLUTION #2007-152
UNION TOWNSHIP; HUNTERDON COUNTY
EMERGENCY APPROPRIATIONS
LEGAL EXPENSES: \$65,000.00

WHEREAS, an emergency has arisen with respect to Legal Expenses; and

WHEREAS, adequate provision was not made in the 2007 budget for the aforesaid purposes; and

WHEREAS, N.J.S.A. 40A: 4-46 provides for the creation of emergency appropriations for the purpose above mentioned; and

WHEREAS, the total amount of emergency appropriations created including the appropriation to be created by this resolution is \$65,000.00; and

WHEREAS, 3% of the total operations in the budget for the year 2006 is \$65,297.82

WHEREAS, the foregoing appropriation together with prior appropriations does not exceed three (3) percent of the total operating appropriations in the budget for 2006

NOW, THEREFORE, BE IT RESOLVED that in accordance with N.J.S.A. 40A: 4-48:

1. Emergency appropriations be and the same are hereby made for Legal Expenses, in the amount of \$65,000.00;
2. That said emergency appropriation shall be provided in full in the 2008 budget, and is requested to be excluded from CAPS, pursuant to NJS 40A:4-53.3c(1);
3. That two (2) certified copies of this resolution be filed with the Director of Local Government Services.

Mrs. Nargi made a motion to adopt above resolution. Mr. Haynes seconded the motion. Vote – Ayes: Mr. Haynes, Mr. Severino, Mrs. Nargi, Mrs. Dziubek, Mr. Mazza. Motion Carried.

NEW ORDINANCE – 1ST Reading – NONE

REPORTS

a. **Engineer's Report** – Mr. Reymann mentioned the following:

- 45 trees have been planted at the Sanctuary Development
- made a checklist book for all departments to follow regarding various permits required by the Township
- spoke with Grand Colonial representatives; resolution to replace 54 trees has to be prepared
- Mr. Severino talked about dust problem on Gravel Hill Rd.

Mrs. Nargi asked for funds approval for Employee Appreciation Party on Friday November 30, 2007.

Mrs. Nargi made a motion to approve funding for 2007 Employee Appreciation Party. Mr. Haynes seconded the motion. Vote – Ayes: Mr. Haynes, Mr. Severino, Mrs. Nargi, Mrs. Dziubek, Mr. Mazza. Motion Carried.

b. **Attorney's Report** – Mr. Jost mentioned the following:

- Worked diligently on the Billboard Litigation

c. **Committee Report**

▪ Mrs. Dziubek mentioned the following:

- Received detail contract from new owners of the company managing Township's website; she would like to discuss it at the next Committee Mtg.

- Mr. Haynes mentioned the following:

- Leaflets left in draining ditches by some residents; it was agreed that a generic warning letter to a resident should be sent by the zoning officer; Attorney Jost will work on the letter with the zoning officer.
- N
eed to purchase covers for inlets on various roads to catch debris. Six covers at about \$100.00 each are needed. Mrs. Nargi made a motion to approve the purchase of six stormwater devices. Mrs. Dziubek seconded the motion. Vote – Ayes: Mr. Haynes, Mr. Severino, Mrs. Nargi, Mrs. Dziubek, Mr. Mazza. Motion Carried.

d. **Clerk's Report**

- Q
uote for additional microphone and installation for recording equipment

After a brief discussion, Mrs. Nargi made a motion to approve purchase of additional microphone and installation for new recording equipment in the amount of \$633.00. Mr. Haynes seconded the motion. Vote – Ayes: Mr. Haynes, Mr. Severino, Mrs. Nargi, Mrs. Dziubek, Mr. Mazza. Motion Carried.

PUBLIC COMMENTS

Pat Lingelbach asked if Main Street has been taken over by the Township. No, was the response from Mr. Haynes and Mayor Mazza. Mrs. Lingelbach elucidated a problem with standing water on the road. Twp. Engineer will inspect the site.

PAYMENT OF THE BILLS – Mr. Severino moved that all claims against the Township of Union as appearing in the Claims Register of this date be paid with exception of Voucher # 16997 for \$444.50 to Maser Consultants and that all checks listed hereinafter be issued in payment thereof. Mrs. Nargi seconded. Vote – Ayes: Mr. Severino, Mrs. Nargi, Mrs. Dziubek, Mr. Mazza. Abstained: Mr. Haynes. Motion carried.

ADJOURNMENT – There being no further business to come before the Township Committee at this time, a motion to adjourn was made by Mrs. Nargi, seconded by Mrs. Dziubek. Motion carried by unanimous favorable roll call vote.

Meeting adjourned at approximately 10:40 PM

Respectfully submitted,

Ella Malecki Ruta, RMC
Municipal Clerk